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Attorneys for Defendants
MAURICE KANBAR, MK ENTERPRISES,
INC., ROLLIT, LLC, and REX PRODUCTS, INC.

17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19 (SAN JOSE DIVISION)

20 3M COMPANY,

21 Plaintiff,

22 v.

23 MAURICE KANBAR, MK ENTERPRISES
24 INC., ROLLIT, LLC, AND REX PRODUCTS
25 INC.,

26 Defendants.

Case No. C 06-01225 JW (HRL)

STIPULATION AND PROPOSED
ORDER OF DISMISSAL OF CERTAIN
CLAIMS AND COUNTERCLAIMS AND
WITHDRAWAL OF CERTAIN
AFFIRMATIVE DEFENSES

1 Plaintiff, 3M Company, and Defendants, Maurice Kanbar, MK Enterprises Inc., Rollit,
2 LLC, and Rex Products Inc., by and through their attorneys of record, stipulate as follows:

3 3M Company hereby dismisses, without prejudice, Count V of its Complaint for Untrue
4 and Misleading Advertising in Violation of Cal. Bus. & Prof. Code §§ 17500 and 17535.

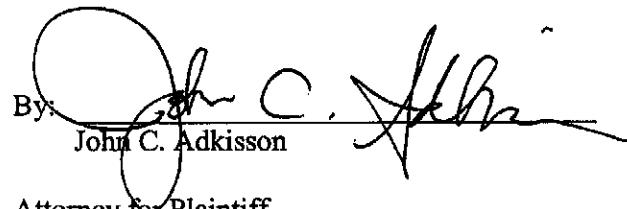
5 Defendants hereby dismiss, without prejudice, their counterclaim for cancellation of 3M
6 Company's POST-IT trademark on the grounds that it is generic.

7 Defendants hereby withdraw their affirmative defense that 3M Company's POST-IT
8 trademark is generic. Defendants hereby further withdraw their affirmative defense of laches.

9 Each party shall bear its respective costs, expenses, disbursements, attorneys fees, and all
10 other expenses related to the foregoing claim, counterclaim, and defenses.

11 Dated: May 12, 2008

FISH & RICHARDSON P.C.

12 By: 
John C. Adkisson

13 Attorney for Plaintiff
3M COMPANY

14 Dated: May 12, 2008

M.K. ENTERPRISES, INC.

15 By: 
Michelle L. Landry

16 Attorney for Defendants
ROLLIT, LLC; REX PRODUCTS, INC.;
MK ENTERPRISES, INC.; and
MAURICE KANBAR

17 PURSUANT TO STIPULATION, IT IS SO ORDERED

18 Date: May 14, 2008

19 Honorable James Ware

